

**REMARKS**

Claims 1-3 and 5-20 remain pending.

**Interview with Examiner**

Applicants thank the Examiner for the courtesy extended toward their representative during the interview of August 4, 2004. During the interview, those distinctions that exist between the claimed invention and the cited prior art were discussed. The substance of the Declaration under 37 CFR 1.132 presented with applicants' response of July 23, 2004 was also discussed. A duplicate copy of the Declaration was filed on August 4, 2004 in view of the Examiner's indication that the Declaration had not yet been made of record in the file.

Applicants take the liberty of submitting the following additional comments based on the discussions which occurred during the interview for consideration by the Examiner.

**Prior Art Rejections**

The Examiner relies on the Kitamura et al '222 and JP '105 references as the predominant basis for the rejection of the claims.

As previously argued by applicants, JP '105 discloses an aqueous ink composition comprising water, a hydrophilic solvent, a water-insoluble binder, and europium-thenoyltrifluoroacetone chelate as a fluorescent substance.

In both the JP '105 reference and the claimed invention, the europium complex is used together with a colorant, solvent and water. However, the JP reference is silent with respect to quick-drying properties, and in particular, neither discloses nor suggests that a quick-drying property imparting agent such as benzotriazole could or should be added to shorten the fixing time. Hence, no motivation resides in the reference to add the quick drying property imparting agent required by applicants' claims.

Kitamura teaches that a cationic polymer having an affinity to a colorant is used to improve waterfastness. The patent only contemplates good drying properties with respect to papers by use of a penetration accelerator as specified in claim 22.

Applicants' claimed invention utilizes the difference in the solubility of the quick-drying property imparting agent in water and the water-soluble solvent to attain quick-drying properties not only for paper but also for impermeable printing materials such as plastic films. Such a concept is neither disclosed nor suggested by the reference.

It is noted that benzotriazole (one of applicants' quick-drying property imparting agents) is mentioned in the Kitamura reference. However, the reference uses benzotriazole as a clogging preventer, which prevents ink from drying on the front end of a nozzle (see column 10, lines 11-25). Thus, the claimed invention is clearly distinct from that of Kitamura.

Applicants submitted the noted Declaration under 37 CFR 1.132 to demonstrate the unobviousness of the claimed invention. As discussed in applicants' response of July 23, 2004, the Declaration reproduces applicants' Example 1, Example 3 of JP '105, and Example A3 of Kitamura et al.

The respective compositions were found to have drying times of 13 seconds, about 20 seconds, and at least 30 seconds, respectively.

As discussed in the Declaration, in order to confirm what effect, if any, the addition of benzotriazole would have on the

drying time of the prior art compositions, benzotriazole was added to the Example A3 composition of Kitamura et al. Again, the drying time of the Kitamura et al composition (even with the presence of the benzotriazole component) was at least 30 seconds.

In view of the above, applicants have rebutted any inference raised by the Examiner that one of ordinary skill in the art would have the requisite motivation to add benzotriazole to prior art ink compositions to enhance drying properties. Indeed, the addition of benzotriazole to the composition of Kitamura, contrary to the Examiner's apparent expectations, not only does not lower the drying time to a level which is consistent with applicants' claimed invention, but does not lower the drying time of the composition at all.

The Examiner's conclusion at the bottom of page 2 of the Advisory Action of April 12, 2004 that "it is clear that the benzotriazole would intrinsically possess quick-drying imparting properties" is thus without factual basis and has been rebutted by applicants' showing.

Applicants' showing further demonstrates the factual inaccuracy of the Examiner's statement at page 4 of the Advisory Action that "given that Kitamura and Ohta et al each disclose

1H-benzotriazole-1-methanol as presently claimed, it is clear that such compound would intrinsically impart quick drying properties."

The fact thus remains that the prior art contains no motivation or suggestion to modify the prior art compositions in a manner which results in applicants' claimed invention.

Indeed, the issue at hand is not whether the use of benzotriazole is an obvious variation of the prior art, but whether applicants' claimed ink composition as a whole is disclosed or taught by the prior art.

It is clear from the above and from applicants' prior responses that the claimed invention is neither disclosed nor suggested by the cited prior art, and the prior art rejections should be withdrawn.

The application is now believed to be in condition for allowance and an early indication of same is earnestly solicited.

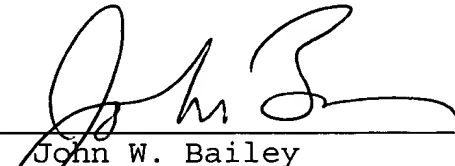
In the event that any outstanding matters remain in this application, Applicants request that the Examiner contact James W. Hellwege (Reg. No. 28,808) at (703) 205-8000 to discuss such matters.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Very truly yours,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By

  
\_\_\_\_\_  
John W. Bailey  
Reg. No. 32,881

JWB/JWH

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000